



WHY SUPPORTING MARRIAGE MAKES BUSINESS SENSE

by Maggie Gallagher

EXECUTIVE SUMMARY

Many advocates argue that businesses should extend marriage benefits to unmarried couples. However, a wide and deep body of scientific literature shows why American society should preserve the unique status it has given to marriage.

Studies show that marriage plays a powerful role in adult well-being; married people live longer and healthier lives, and exhibit fewer signs of mental illness. Marriage is also a productive economic relationship, a powerful generator of human and social capital. Married people earn more money than otherwise similar single individuals, and build more wealth than singles with similar incomes. Married workers (especially married men) are more productive and motivated, on average, than otherwise similar single employees. Married people experience less economic hardship than singles with similar incomes.

The failure to marry taxes society as a whole. Children whose parents do not get married or do not stay married, for example, are more likely to drop out of high school, commit crimes and display other conduct disorders, experience more infant mortality, childhood illnesses and disease, and suffer from mental illness. As adults, they achieve less academically and occupy lower-status jobs, on average, than children whose parents were able to forge a good-enough marriage bond, even after accounting for race and family background.

There is no scientific evidence to support the recent idea that domestic partnerships are the functional equivalent of marriage. Adults who merely live together more closely resemble singles than married people. Children who live with cohabiting parents do no better than children of solo moms.

Giving cohabitators the same benefits in law and policy as married couples does not therefore represent justice or fairness. By offering the social rewards of marriage but without its public responsibilities, domestic partnership benefits discourage marriage. Why marry the mother of your new baby if the society says living together is just as good—and may even increase the government subsidies available to your family?

Likewise, same-sex domestic partner benefits send a confusing signal, giving the appearance of providing an appropriate context for having and raising children, when the social science evidence supports the idea that children benefit from having both a mother and a father.

Confining benefits to spouses is one way that the law, public policy and society point out to the next generation the unique importance of marriage. Extending marital benefits to other intimate couplings sends a message that is dangerously untrue. Living together and being married are just not the same, for children or their parents.

WHY SUPPORTING MARRIAGE MAKES BUSINESS SENSE

Until recently marriage was seen as the cornerstone of society, and a strong marriage culture was considered as a prerequisite for the social well-being of the nation and the protection of children. The benefits attached to marriage by law, or offered by society (including private corporations), were viewed as instrumental in helping married people carry out the responsibilities of marriage, on which the good of society depended. Workers (originally husbands) were legally bound to provide financially for their spouses and dependent children, and so workers were allowed to extend health and other insurance benefits to their spouse and (minor) children.

In recent years, this common understanding of the unique importance of marriage has been challenged. Since the early 1990s, the number of employers covering same-sex domestic partners of their employees has grown from a few dozen to more than 2,800 employers. According to the Human Rights Campaign, 69 percent of employers offer benefits to opposite-sex domestic partners as well.¹

The growth in domestic-partner benefits reflects a change in our understanding of the centrality and uniqueness of marriage. Advocates of family diversity argue that there is no longer any compelling reason for treating married couples differently than any other intimate coupling. Individual workers and advocates have filed lawsuits claiming that both government and workplace policies reserving benefits to spouses constitute discrimination against other family forms. Some argue that marital employment benefits violate our meritocratic market standards, leading to unequal pay for equal work. If workers do not have spouses or children, these voices claim, they should be able to assign these same benefits to other intimate partners: “Your benefits [should] depend on what you do on the job,” Kim I. Mills, author of the HRC study told the *New York Times*, “and not who you’re married to or whether you’re married at all.”²

In a recent essay in *Family Law Quarterly*, one scholar went so far as to claim public preferences for marriage were irrational: “[A]n irrational, sentimental cocoon. . . has clouded logical discussion and intelligent debate. . . . Married and unmarried couples who are in the same *factual* positions should be treated alike.”³

Advocates like these usually treat the similarity of marriage to other domestic partnerships as self-evident. This report, by contrast, looks at what social science research can tell us about the benefits of marriage to children, families, businesses, taxpayers and the wider society. Is there any rational reason for society to prefer marriage? Do businesses, in particular, have an interest in supporting stable marriage? We look as well at the burgeoning literature on cohabitation to see if scientific evidence supports the claim that cohabitation is the functional equivalent of marriage.

THE ECONOMIC BENEFITS OF MARRIAGE

Scientific evidence makes it clear that marriage is a wealth-producing institution, not merely a cultural value or a consumer good. Marriage boosts wealth in part because it points men and women toward productive, sober, steady behavior that pays off for families, for businesses, and for society. But marriage also boosts wealth and productivity for the same reason that other partnerships do: By sharing the burden of domestic and market work, married partners actually produce more working together than either would alone.

Married People Are Better Workers

Married workers are, on average, more productive workers. The marriage premium (higher wages) earned by married men is one of the most well-documented phenomena in social science. “Typically,” write labor economists

Sanders Korenman and David Neumark, wage “differentials are in the 10% to 40% range—roughly as large as race, firm-size, and union wage differentials, as well as differentials across industries.” The longer a man stays married, the higher his marriage premium, even after controlling for other factors.⁴

Why does marriage matter? First, married guys work longer hours, they have lower “quit rates” and therefore longer job tenure than men without wives. Married men tend to choose higher-paying professions, even if that means less pleasant work, or less control over working hours. Married men take advantage of on-the-job training more often, and when unemployed they use more methods of job search than single guys. In surveys, they rate pay as a more important job attribute than bachelors do. Marriage makes men, on average, more focused and motivated workers.

Second, married people adopt healthier lifestyles. Married people reduce consumption of alcohol and other substances.⁵ Married people also sleep more, eat more regular and healthier meals, visit the doctor, and take fewer stupid risks, like driving fast without seat belts.⁶ So married workers, on average, are less likely to show up for work from time-to-time hung-over, sick and/or sleep-deprived.

When marriages end, productivity gains are disrupted. In one study of younger workers, for example, husbands earned on average \$11.33 an hour, single men earned \$10.38 and divorced and separated men earned \$9.61.⁷ For corporate managers, the immediate disruptive effects of divorce on employee productivity may be more visible than the subtler long-term benefits of marriage. “I’ve experienced managers going through divorces, and they are just not the same. Their minds are not in the game for about three years,” one owner of a chain of family fun centers told us. What happens after three years? “It is the healing process,” he told us and then, “Well, by that time they are usually remarried.”⁸

Marriage Expands Human Capital

Many executives acknowledge the importance of education to the healthy functioning of the economy. Fewer recognize the similar role

that marriage plays in the development of a productive workforce.

Stable marriage has a powerful impact on children’s education. Research has consistently shown that children raised by their own two married parents do better in school than children in other family forms. For example, about one out of four children in both single-mother and blended families repeat a grade in school, compared to only one in seven children in intact married families. About a quarter of children in mother-only families and 18 percent of children in blended families have been suspended or expelled, compared to less than 10 percent of children from intact marriages.⁹ A 15-year study of 2,000 married people and their children by Paul Amato and Alan Booth found that even after controlling for marital quality, income, race and family background, parental divorce reduced adult children’s educational attainment, occupational status, and increased the risk of economic hardship in their adult lives.¹⁰ Children in single-mother homes are significantly less likely to complete high school, attend or graduate from college than either children in intact married families or children in widowed families (even after controlling for race, gender, and maternal education).¹¹ Children raised outside of intact marriages are also only half as likely to attend a selective college, even after controlling for income and parental education.¹²

How can the marriage of parents contribute to their children’s education and future productivity? Parents contribute to their children’s development of social skills that are valuable to schools and employers—punctuality, self-discipline, honesty, tolerance for frustration, diligence, reliability, respect for others. On average two married parents have twice the time, energy, financial security, and personal skills to bring to these parenting tasks. Parents are their children’s first educators in more formal skills as well, reading to young children, helping with homework, reinforcing patterns (like regular breakfast and early bedtime) that help children learn. The tastes, values and skills of parents influence their children’s success in school and in the world of work.¹³

The presence of intact married families affects not only the individual child’s educa-

tional success, it influences the effectiveness of schools in general. In fact one study found that the proportion of single-parent families in a school was a greater predictor of school failure than race, income, or the student's own family structure. Large proportions of students from single-parent homes reduce the academic achievement of both children in intact and children in single-parent families, even after controlling for race, income, and characteristics of the school, such as per-pupil spending.¹⁴

Does this mean every child of divorce is doomed to substandard productivity? No, of course not. But in general, marriage, like education, is a generator of human and social capital for adults and children, contributing to high-functioning workers, strong business enterprises, and economic growth. Over time, low rates of marriage and high rates of divorce lead to fewer highly productive workers. The eventual result is either a labor shortage of skilled, motivated workers and/or an increase demand to import disciplined, productive workers from abroad to compensate for the domestic shortfall.

The Taxpayer Costs of the Retreat from Marriage

Divorce and unmarried childbearing create substantial taxpayer costs, born by the public at large. Higher rates of crime, drug abuse, education failure, chronic illness, child abuse, domestic violence, and poverty lead to higher public outlays for a wide array of programs: e.g. welfare, food stamps and Medicaid, increased remedial and special education, high day-care subsidies, child support collection costs, foster care and child protection services, increased Medicare and increases in prison and police expenditures.

A recent consensus document, *The Marriage Movement: A Statement of Principle*, signed by more than a hundred prominent scholars and civic leaders across the political spectrum, concluded: "While no study has yet attempted to precisely measure these sweeping and diverse taxpayer costs stemming from the decline in marriage, current research suggests these costs are likely to be quite extensive."¹⁵

HEALTH AND MARRIAGE

Stable marriage exerts a powerful effect on public health. Both men and women who get and stay married live longer, enjoy better health, manage chronic illness better, and become disabled less often than people who are single or divorced.

Marriage Prevents Premature Death

Overall non-married women have mortality rates about 50 percent higher than wives; non-married men have mortality rates about 250 percent higher than husbands. Single people are more likely to die from a variety of causes including heart disease and cancer, but mortality rates are particularly high for those causes of death that have an obvious behavior component: cirrhosis of the liver, car accidents, murder and suicide, for example.¹⁶

How much does marriage matter? Take two middle-aged men with the same race, income and family background, except that one is married and the other is single or divorced. What are the odds these men will live to at least age 65? The answer: Nine out of ten husbands, but only six out of ten single guys. In other words, absent remarriage, an extra three out of ten men lose their lives when they lose their wives.¹⁷

Marriage Reduces Illness and Disability

Overall, married men and married women are less likely to report they are in poor health. One nationally representative study of men and women in their fifties and early sixties found both husbands and wives enjoy better health, on average. Wives, for example, were about 40 percent less likely to rate their health as only fair or poor.¹⁸ A recent study of Americans between the ages of 51 and 61, drawn from 9,333 respondents to the Health and Retirement Survey, warned: "All else being equal, recent changes in marriage behavior may have untold negative consequences for the health and well-being of future cohorts and the care they receive."¹⁹

This study compared the incidents of major diseases (including high blood pressure, diabetes, stroke, chronic lung disease, heart dis-

ease, psychiatric problems, arthritis, foot and leg problems, asthma, bladder and stomach problems) as well as functional disability in married, cohabiting, divorced, widowed and never married individuals. “Almost without exception,” the authors report, “married persons have the lowest rates of morbidity for each of the diseases, impairments, functioning problems, and disabilities.” Divorce had a greater overall negative consequence for women’s health compared to men’s health, and the health benefits of marriage appeared somewhat stronger among African-Americans and Latinos than Whites.²⁰

For example:

- 34 percent of married women reported high blood pressure, compared to between 40 percent and 45 percent of divorced and never married women in this age group.
- Married men were less than half as likely to report psychiatric problems as divorced and never married men.
- Divorced and widowed women were twice as likely as wives in this age group to say they had functional limitations that impaired daily living.
- One out of five married men aged 51 to 61 were disabled, compared to more than one out of four divorced and never married men.²¹

“[M]arital status differences in disability are dramatic even when controlling for age, sex and race/ethnicity,” the researchers report. “The odds of disability among cohabitators, for example are almost 1.7 times the odds for married persons. Similarly the odds of disability among divorced persons are slightly less than 1.6 times the odds for married persons. All unmarried groups are significantly more likely to be disabled than married persons.”²²

Marriage Protects Mental Health

Marriage boosts the mental health of adults. As one researcher summed up the international data on divorce and mental health, “Numerous

studies have shown that the previously married tend to be considerably less happy and more distressed than the married.”²³ Married men and women report fewer symptoms of mental illness than otherwise similar individuals who are not married. One longitudinal study followed almost 1400 young men and women over a seven-year period. Young adults who got married experienced sharp drops in the level of depression.²⁴ Another study investigated the mental health of 13,000 men and women in older middle age (51 to 61 years). After controlling for race, education, family structure, income, and living arrangements, married people were significantly less depressed than comparable singles.²⁵ A longitudinal study following a nationally representative sample of 13,000 men and women over five years found that, after controlling for initial mental health status, the mental health of all singles (never married, separated, divorced and widowed) declined compared to those who remained married over the entire period.²⁶ It is not just that healthy and happy people get married. Being married is good for mental health.

MARRIAGE AND VIOLENCE

Marriage Cuts Crime.

Marriage reduces the likelihood that adults will become either victims or perpetrators of crime. Single and divorced women are four to five times more likely to be victims of violent crime in any given year than married women. Similarly, unmarried men were about four times as likely to become victims of violent crime as husbands.²⁷

Even after controlling for factors such as race, mother’s education and neighborhood quality, boys raised in single-parent homes are about twice as likely (and boys raised in step-families three times as likely) to have been incarcerated by the time they reach their early thirties.²⁸ Teens raised outside of intact marriages are more apt to develop beliefs such as “most things that people call ‘delinquency’ don’t really hurt anyone” and “It is all right to get around the law if you can get away with it.”

Combined with lower levels of parental supervision, these attitudes set the stage for delinquent behavior.²⁹

Marriage Reduces Risk of Domestic Violence

While domestic violence is a serious problem both in and outside of marriage, a large body of research shows that being unmarried, especially living with a man outside of marriage, puts women at special risk for domestic abuse. According to the National Crime Victimization Survey, the victimization rate for women separated from their husbands was about three times higher than that of divorced women and about 25 times higher than that of married women. Husbands committed about 5 percent of all rapes against women in 1992-1993, compared to 21 percent that were committed by ex-spouses, boyfriends, or ex-boyfriends, and 56 percent that were committed by an acquaintance, friend, or other relative.³⁰ One study found that husbands who were arrested for domestic violence became less violent as a result, but boyfriends actually increased their violence toward their partners after being arrested for “minor” violent assaults.³¹

MARRIAGE AND THE WELL-BEING OF CHILDREN

Marriage is a powerful protector of children. Children raised by their own two married parents live longer, are physically healthier, and show fewer signs of emotional distress and mental illness, than children in other family forms, even after controlling for race, income and family background. They are more likely to succeed in school and on the job. They are less likely to commit crimes, abuse alcohol or illegal drugs, engage in premature and promiscuous sex, have children out of wedlock, commit suicide and drop out of high school.

Marriage Protects Children’s Health and Longevity

In one major longitudinal study, divorce increased the risk that children would become

ill by 50 percent.³² Children living in single-mother homes have higher rates of hospitalization and more chronic health conditions such as asthma, heart ailments or convulsions. The health advantage of married homes for children remains even after taking into account socioeconomic status.³³

White babies born to unwed mothers are 70 percent more likely to die in the first year, and black infants born out of wedlock are 40 percent more likely to die. Even a college education does not erase the marital status risk: babies of white, unwed women with some college education were still one-third more likely to die than babies born to educated white mothers who were also married.³⁴

Even in Sweden, a country with extensive supports for single mothers and a nationalized health care system, adults raised in single-parent homes were about one-third more likely to die over the study period. Adults from non-intact families were 70 percent more likely to have circulatory problems, 56 percent more likely to show signs of mental illness, 27 percent more likely to have chronic aches and pains, and 26 percent more likely to rate their overall health as poor.³⁵

One study which followed a sample of academically gifted, middle-class children for seventy years found that parental divorce reduced a child’s life expectancy by four years, even after controlling for childhood health status and family background, as well as personality characteristics such as impulsivity and emotional instability.³⁶ Another analysis of this same data found that 40-year-old men whose parents had divorced were three times more likely to die than 40-year-old men whose parents stayed married.³⁷

Marriage Protects Children’s Mental Health

Overall, children who grow up outside of intact marriages have higher rates of mental illness, and the “marriage gap” persists long into adulthood. A large Swedish study found that as adults, children raised in single-parent families were 56 percent more likely to show signs of mental illness than children from intact married homes.³⁸ One important study following more

than 11,000 British children from birth through age 33 concluded that “a parental divorce during childhood or adolescence continues to have a negative effect when a person is in his or her twenties or thirties.”³⁹ A study of 534 Iowa families found that divorce increased the risk of depression in children. Part of the negative effect stemmed from the impact of divorce on mothers’ and fathers’ parenting skills. However, even when both mothers and fathers remained involved and supportive, boys whose parents divorced were at increased risk for depression.⁴⁰ Remarriage does not improve the psychological well being of children, on average.⁴¹ The majority of divorces today appear to take place in low-conflict marriages, and the psychological damage to children from these divorces is substantial.⁴²

Married Parents Reduce Rates of Substance Abuse

Twice as many young teens in single-mother families and stepfamilies have tried marijuana (and young teens living with single fathers were three times as likely to have smoked pot). Young teens whose parents stay married are also the least likely to experiment with tobacco or alcohol.⁴³

Married Parents Reduce the Risk of Teen Suicide

In the last half-century, suicide rates among teens and young adults have tripled. The single “most important explanatory variable,” according to an important new study, “is the increased share of youths living in homes with a divorced parent.” The effect, note the researchers “is large” explaining “as much as two-thirds of the increase in youth suicides” over time.⁴⁴

Marriage Protects Against Child Abuse:

As Martin Daly and Margo Wilson put it, “Living with a stepparent has turned out to be the most powerful predictor of severe child abuse risk yet.”⁴⁵ One study found that a preschooler living with a stepfather was forty times more likely to be abused than one living with both of his or her biological parents.⁴⁶

Another study found that although boyfriends contribute less than 2 percent of non-parental child care, they commit half of all reported child abuse by non-parents. The researcher concludes “a young child left alone with a mother’s boyfriend experiences elevated risk of physical abuse.”⁴⁷

ARE UNMARRIED PARTNERSHIPS JUST AS GOOD?

Advocates of extending spousal benefits to domestic partners typically rest their claim on justice and social utility: People who live in committed relationships outside of marriage deserve the same kind of social support and reinforcement as spouses. Children will be better off if we acknowledge and support loving relationships whatever form they may take.

But are domestic partnerships just as good as marriage, in the sense of providing the same benefits to adults, children and society? The scientific evidence to date strongly indicates the answer is, no.

Cohabiting Partnerships are Not Similar to Marriage

Cohabiting relationships are more fragile than marriages. Long-term cohabitation in the United States is quite rare. The majority of cohabiting couples either break up or marry within two years.⁴⁸ Research shows that biological parents who are married are three times more likely to still be together two years later than parents of newborns who merely live together, even after controlling for maternal age, education, economic hardship, previous relationship history, depression and relationship quality.⁴⁹

Cohabiting relationships are, on average, of lower quality than married ones, even after controlling for socio-demographic factors.⁵⁰ What about those rare cohabitators who do stay together? Rather than increasingly resembling married couples, researchers found that long-term cohabitators have the lowest quality relationships when compared to married couples.⁵¹ Increasingly there are reasons to suspect this is not merely a

selection effect, with happier couples marrying. Instead there is growing evidence that the public commitment of marriage helps lead couples to higher quality relationships.⁵²

Cohabitation Does Not Protect Health Like Marriage

In general the health profile of cohabiting men and women is more similar to singles than to married people. In one study of health and disability, older cohabiting women were three times as likely as wives to say they had functional limitations that impaired daily living. One out of five married men aged 51 to 61 were disabled, compared to about one out of three cohabiting men. Twenty-two percent of married women in this age group (51-61) were disabled compared to 30 percent of cohabiting. Married men were less than half as likely to report psychiatric problems as cohabiting men.⁵³ Cohabiting appears to increase mothers' risk of depression.⁵⁴

In one recent 17-nation study of marriage and happiness, researchers found that in every country but one, married people were considerably happier than singles. Cohabitors received only a small fraction of the boost to happiness that married couples enjoyed.⁵⁵ A study of 100,000 Norwegians found that married people were happier than widowed, divorced, never-married or cohabitors. "[A]mong those who have remained divorced for three years or more the level of well-being is much lower and very similar for the single and cohabiting," the study concludes.⁵⁶

Cohabitation does not reduce substance abuse to the same extent as marriage. Men and women who marry cut back on illegal drug use, for example, while merely moving in together produces no such changes in unhealthy behavior. When people decide to live together, they do cut back on alcohol somewhat, but only about half the extent to which people who marry do.⁵⁷

Cohabitation Fails to Protect Children

Children who live with cohabiting parents have both a lower standard of living and more

signs of emotional problems, compared to children in intact married families.⁵⁸ Children in cohabiting couples also show poorer emotional health than children from married, two-parent families, closely resembling children in remarried and single-parent families.⁵⁹ One study comparing the economic benefits of cohabitation versus remarriage for children of divorce found that ". . . remarriage is economically more advantageous than cohabitation. . . . [O]ver time cohabitation, even when it results in a stable union, is a comparatively poor mechanism for maintaining economic recovery for children of divorce."⁶⁰

Cohabitation Does Not Boost Human Capital

While the longer a couple stays married, the greater the boost to wealth, length of cohabitation has no relationship to wealth acquisition.⁶¹ One study found that cohabiting men received only half the wage premium of married men.⁶² And the returns to marriage increase with each passing year while most cohabitations that do not result in marriage are short-lived.

Cohabitation Increases Risk of Violence, Abuse

Cohabitors are more likely to kill their partners than married people.⁶³ One analysis of the National Survey of Families and Households found cohabitors were more than three times more likely than spouses to say arguments became physical over the last year (13 percent of cohabitors versus 4 percent of spouses). Even after controlling for race, age, and education, people who live together are still three times more likely to report violent arguments than married people.⁶⁴ Jan Stets speculates "the very nature of being in a less committed relationship may create its own dynamic for aggression. . . . [T]he *costs* associated with being aggressive will not be as great for cohabitors compared to the married" because cohabitors "do not have much invested in the relationship."⁶⁵ Overall, as one scholar sums up the relevant research, "Regardless of methodology, the studies yielded similar results: Cohabitors engage in more violence than spouses."⁶⁶

How Supporting Cohabitation Hurts Marriage

Living together is not just like marriage because marriage is not just a piece of paper. Marriage is a powerful social institution that changes the way adults behave towards each other and their children. But institutions have this power only when their boundaries are protected. If society begins to treat other relationships as the equivalent of marriage, marriage loses some of its social power, especially the power to signal to young people and prospective parents that this particular kind of relationship—a lifelong legal and public commitment joining mothers and fathers in one family unit—is the most socially responsible and desirable context for having children.

The expected benefits of cohabitation have proved ephemeral. While many expected premarital cohabitation should improve the success of marriages, research shows that it does not.⁶⁷ The experience of cohabitation itself not only delays marriage, but changes attitudes in ways that increases the risk of non-marriage and divorce, and reduces marital childbearing. One recent study found that “premarital cohabiting experiences exert a significant negative influence on young people’s family size preferences and a significant positive influence on young peoples acceptance of divorce. Young people who have cohabited . . . are significantly more approving of divorce than young people who never cohabited,” even after controlling for family background.⁶⁸ Thus the experience of cohabiting changes attitudes in ways that are likely to increase the later risk of divorce, as well as reducing the quality any future marriages they may make.⁶⁹

Young cohabitators are also much more likely than non-cohabiting single women (even single women with sexual partners) to get pregnant.⁷⁰ Given the large decline in the likelihood that single pregnant women will marry before the child’s birth,⁷¹ increases in cohabitation raise the risk a young woman will become an unwed mother (a trend which, we suggest below, may be accelerated by the growth of domestic partnership benefits).

Whether adults cohabit or not is related not only to their own attitudes toward cohabitation

and marriage but also the attitudes of important others, such as parents.⁷² The signals of social acceptance that young adults receive do affect the likelihood they will choose to raise children outside of marriage.

WHAT ABOUT SAME-SEX DOMESTIC PARTNERS?

While domestic partnership benefits have been offered by many large companies and major cities since the early 1990s, we could find little or no direct research on the consequences for either adults or children. No academic research that we could find attempted to compare how children fare in same-sex unions where partners have domestic partnership benefits versus unions where they do not. (There are related studies on the effects of having a parent who is gay or lesbian, which we discuss later). The perhaps more difficult question of the overall cultural consequences for marriage and children’s well-being when alternatives to marriage are institutionalized in this manner has also received remarkably little scholarly attention.

How Many People Need Domestic Partner Benefits?

Theoretically, domestic partner benefits could advance the welfare of adults and children. Advocates argue that denying health care benefits to partners who are not able to marry is inhumane. By refusing to extend spousal benefits to same-sex partners, will we deprive millions of Americans of health benefits they need and deserve? Will children, in particular, suffer if society continues to prefer and support marriage? How great is the need for domestic partnership benefits?

Despite the large amount of public exposure given to such same-sex couples, same-sex couples who need their partner’s health insurance benefits appear to be extremely rare.

The latest Census Bureau figures report that only about one-half of one percent of all households consist of same-sex couples. Most but not all of these are likely to be gay or lesbian.⁷³ How

many of those qualify as domestic partners who would like to extend insurance benefits to their live-in loves? In August of 2001, we called the domestic partnership registries of the ten largest U.S. cities that had domestic partner registries. In these ten cities, same-sex registered domestic partners account for an estimated one-tenth of one percent of the population. (For a list of individual city statistics and methodology, see appendix A). How many domestic partners depend on one another for health benefits, or how many need domestic partner benefits to provide insurance to children is not known.

We tried to obtain such data from the ten largest corporations that offer domestic partnership benefits: General Motors, Ford Motor Co., Citigroup, Inc., Enron Corp, IBM, AT&T, Verizon Communications, Philip Morris, J.P. Morgan Chase & Co., Bank of America Corp. However, only one of these ten companies, General Motors, was willing to release the data. (The other nine companies refused to do so, even on a not-for-attribution basis.) Out of a total of 1,330,000 GM employees, exactly 166 workers (or just over one one-hundredth of one percent) extended their health insurance to a same-sex partner.

This is not surprising. No definitive research on the gay and lesbian population exists. But the majority of gay and lesbian individuals are likely not living with partners. Many who do live in sexual partnerships may refuse financial responsibility for each other (just like many opposite-sex cohabitants). And even where same-sex couples do wish a financial union, most partners are likely working and maintaining their own insurance benefits.

Similarly, while theoretically offering marital benefits to same-sex domestic partners could increase the well-being of their children, by offering them access to health insurance while a parent stays home with children, we suspect the number of children who might need domestic partner benefits to be quite small. Why? First, only one-half of one percent of households consist of same-sex couples. Only a minority of these have children from the union, through adoption, or donor insemination. If the child is either the natural child or adopted child of the parents, he or she is likely covered by the work-

ing parent's health insurance anyway. Finally, while married peoples income is pooled for tax and welfare purposes, domestic partners (especially same-sex partners) are typically not. This means that unmarried partners are eligible for social insurance benefits unavailable to most married couples. So unlike married couples, if one parent in a domestic partnership drops out of the work force to care for a baby, he or she will more likely qualify for Medicaid and other means-tested medical and financial benefits reserved for low-income and single parents.

The demand for domestic partner benefits is thus likely not based on filling a huge, unmet need for practical benefits. Children or adults are not being deprived of health care because corporate and government policies favor married couples over unrelated cohabitants. Instead domestic partnership benefits appears to be largely symbolic. The goal (or at any rate the main effect) is not filling a need for health insurance, but putting a public stamp of social approval on alternatives to marriage.

Do Domestic Partner Benefits Hurt Marriage?

We could not locate any published attempts by researchers to measure the effects, negative or positive, that domestic partnership benefits may have on rates of marriage versus cohabitation, or on increasing childbearing within non-married relationships. Certainly the dramatic increase in domestic partnership benefits offered by cities and companies in the 1990s has gone hand-in-hand with a striking increase in the same decade in the likelihood that parents of newborns will cohabit rather than marry.

There are reasons for believing this association may not be merely spurious or accidental. Domestic partner benefits tell adults that important others (employers, government, society) believe domestic partnerships are marriage equivalents, and therefore appropriate venues for child-bearing and child-rearing. Anecdotes suggests that by signaling social approval of same-sex and cohabiting parenting, same-sex domestic partner benefits may increase the number of children born outside of marriage, into either motherless (or more typically) fatherless families.⁷⁴ More research is

needed into the net social consequences of domestic partner benefits.

Do Children Need Mothers and Fathers?

Does it matter? Some advocates argue that scientific evidence shows there is no difference between children raised by gay and lesbians and other children.⁷⁵ But as recent analyses have shown, these studies are riddled with flaws in design and analyses.⁷⁶ Little research is longitudinal in design. Sample sizes are too small to have the statistical power necessary to detect differences. Many lack elementary controls for factors like maternal education and income, leading researchers to compare say, children of lesbians with graduate degrees to heterosexual mothers with a high school diploma or less.

Perhaps most troubling, most studies compare children of lesbian mothers not to children from intact marriages but to children with heterosexual single mothers. If the problem with same-sex couples is not sexual orientation *per se*, but the negative effects of fatherlessness and/or motherlessness on children's well-being, it is hard to imagine a scholarly focus better designed to obscure the evidence. Studies like these may be relevant when deciding whether, say, a parent's sexual orientation should influence custody outcomes. But they do not even address the question: are two mothers or two fathers the functional equivalent of a married mother and father? Should we encourage and legitimize same-sex parenting partnerships, as opposed to merely tolerating or accepting them?

A leading advocate of family diversity recently acknowledged that it is unlikely there is no difference in children raised by same-sex couples. She and a colleague argue that existing evidence suggests children of lesbian parents show signs of greater homoerotic interest and sexual activity and less conventional masculinity among boys, but that these and other potential differences should be recognized as either advantages or differences that should not matter to law or society.⁷⁷

Many advocates of legitimating same-sex unions state frankly their primary concern is protecting adults from discrimination. While protecting adults from harassment or discrimi-

nation is a noble motive, we believe that when it comes to altering the public benefits, social institutions and shared messages surrounding parenting, our first priority should be concern for the interests and well-being of children. A large and deep body of social science evidence confirms the customary understanding of the ages: children do best when raised by their own married mother and father.

CONCLUSION

New social experiments extending marriage or marriage-like benefits to domestic partners, heterosexual or homosexual, should not take place absent a compelling showing that children and marriage will not be damaged as a result. An exclusive or primary focus on the sexual rights of adults to their lifestyles, in this context, is inappropriate.

Instead we believe that at this point the evidence suggests the opposite: the continued extension of spousal benefits to domestic partners further erodes the status and practice of marriage, ultimately reducing the well-being of children, increasing taxpayer costs, and retarding workforce productivity and economic progress. Domestic partnership benefits do not fulfill a large, unmet social need, but instead operate primarily on the symbolic level, as a signal that these relationships are marriage equivalents.

Since 1960 marriage has appreciably weakened all over the western world, including America. Divorce rates more than tripled between 1960 and 1980 and the proportion of children born out of wedlock has jumped from 5 percent in 1960 to almost a third today. A very large increase in out of wedlock births in the 90s took place to young cohabiting couples, suggesting domestic partnerships are increasingly substituting for marriages.

Given the powerful advantages of marriage in protecting the well-being of children and the productivity of adults, responsible executives should be reluctant to embrace policies that suggest or imply to workers, their lovers, or their children that cohabitation is the functional equivalent of marriage, or that children do not really need both mothers and fathers.

Appendix A. The Ten Largest U.S. Cities with Domestic Partner Registries.

Note on Methodology: We called the domestic partnership registry in the ten largest cities that, according to the Human Rights Campaign Website, have legal domestic partnership registries. Data on city population size is gathered from Census 2000 data, and is for population within city limits alone.

In these ten cities, a total of 25,131 couples have registered domestic partners. Most cities⁷⁸ allow either same- or opposite-sex couples to register as domestic partners. No register could give us official data on the proportion of domestic partners who are same-sex versus opposite-sex partners. But according to a New York City press release dated November 2, 1998, as of April 1998 less than 45 percent of domestic partners in New York City were same sex. Assuming the proportion is similar elsewhere, we estimated the total number of same-sex domestic partners in these ten cities by multiplying the total number of registered domestic partners by .45. We estimate no more than 11,700 couples (or 23,400 people in cities with a combined population of 17,487,000) were registered same-sex domestic partners.

We believe our estimate—that registered domestic partners total about one-tenth of one percent of the population—is a generous one. The true proportion may be even smaller, for these reasons:

First, because only one city (Milwaukee) requires domestic partners to be residents,⁷⁹ comparing the number of registered domestic partners to total number of city residents may be deceptive. Registered partners may live in surrounding towns or even out-of-town. (A Texas clerk, for example, said couples from nearby Dallas County had registered in Travis County. The Seattle office said they had sent forms to out-of-state couples, but they did not know if any had registered).

Second, these figures represent the total number of same-sex couples that have EVER recorded their union. Because four out of ten of these cities do not record terminations, we had no data on the proportion of these unions that are still formally extant. The number still living

together is likely to be even smaller. This means our estimate of the total number of registered domestic partners living together is certainly exaggerated.

Finally, most researchers agree that while gay population is a higher proportion of the population in large cities, the proportion of the general population, including rural and suburban areas, that have or seek same-sex domestic partner benefits may be much smaller.

1. New York, NY

City population, Census 2000: 8,008,278
City population rank: 1st
Office: City Clerk of New York
Registry offered to: Same & opposite
Residency requirement: At least one partner must live or work in New York City.
DP couples since inception: 14,688
Terminations: Unavailable
Active DP couples: Unavailable
Breakdown by type: Unavailable. But an online press release (dated 11/2/98) claims: "By the end of April, 1998, there were approximately 8,700 couples registered as domestic partners in New York City. More than 55 percent of those registered domestic couples who reported demographic information were heterosexual couples, and less than 45 percent were same sex couples."
Registry established: 1993

2. Los Angeles, CA

City population, Census 2000: 3,694,820
(Los Angeles County population: 9,519,338)
City population rank: 2nd
Office: Los Angeles County Registrar/Recorder
Registry offered to: Same & opposite
Residency requirement: Domestic partners must live or work in Los Angeles County.
DP couples since inception: 284
Terminations: Unavailable
Active DP couples: Unavailable
Breakdown by type: Unavailable
Registry established: May 1999
Notes: Of 284 couples, 110 registered 5/99-12/99; 123 registered 1/00-12/00; 51 registered 1/01-7/01.

3. Philadelphia, PA

City population, Census 2000: 1,517,550
City population rank: 5th
Office: Philadelphia Commission on Human Relations
Registry offered to: Same only
Residency requirement: No residency requirement (contact, Katrina
Fraser, was aware of a couple living in Virginia that registered as DPs in Philadelphia). Applicants are turned down only if information provided is less than six months old.

DP couples since inception: 245
 Terminations: 2
 Active DP couples: 243
 Breakdown by type: N/A
 Registry established: March 1998

4. San Francisco, CA

City population, Census 2000: 776,733
 (San Francisco County and city are coextensive)
 City population rank: 13th
 Office: San Francisco County Clerk
 Registry offered to: Same & opposite
 Residency requirement: DPs may file with county office or with notary public. To file with the county office, one or both partners must work in San Francisco.
 DP couples since inception: "Approx. 7,300"
 Terminations: Unavailable
 Active DP couples: Unavailable
 Breakdown by type: Unavailable
 Registry established: February 14, 1991

5. Austin, TX

City population, Census 2000: 656,562
 (Travis County population: 812,280)
 City population rank: 16th
 Office: Travis County Clerk
 Registry offered to: Same & opposite
 Residency requirement: Non-residents may register. Couples from Dallas County have registered in Travis County. Contact did not know of out-of-state couples who have definitely registered, but said as far as she knows, it's allowed.
 DP couples since inception: 580
 Terminations: 69
 Active DP couples: 511
 Breakdown by type: Unavailable, but contact said majority are same-sex
 Registry established: October 1993

6. Milwaukee, WI

City population, Census 2000: 596,974
 City population rank: 19th
 Office: Milwaukee City Clerk—License Division
 Registry offered to: Same only
 Residency requirement: Both partners must be Milwaukee residents.
 DP couples since inception: 80
 Terminations: 2
 Active DP couples: 78
 Breakdown by type: N/A
 Registry established: September 1999
 Notes: County Clerk said 3,341 couples have married this calendar year (since 1/1/01).

7. Boston, MA

City population, Census 2000: 589,141
 City population rank: 20th
 Office: Boston City Clerk
 Registry offered to: Same only
 Residency requirement: None; non-residents and out-of-state DPs may register.
 DP couples since inception: 450
 Terminations: Unavailable
 Active DP couples: Unavailable
 Breakdown by type: Unavailable
 Registry established: December 1993

8. Seattle, WA

City population, Census 2000: 563,374
 City population rank: 24th
 Office: Seattle City Clerk
 Registry offered to: Same & opposite
 Residency requirement: None: "They can be anywhere on earth." (Contact had sent forms out to out-of-state couples, but did not know if any registered.)
 DP couples since inception: 992
 Terminations: 80
 Active DP couples: 912
 Breakdown by type: Unavailable
 Registry established: 1993

9. Denver, CO

City population, Census 2000: 554,636
 City population rank: 25th
 Office: City Clerk
 Registry offered to: Same & opposite
 Residency requirement: Non-residents may register: "We don't actually look."
 DP couples since inception: 253
 Terminations: 10
 Active DP couples: 243
 Breakdown by type: Unavailable
 Registry established: February 11, 2000

10. Portland, OR

City population, Census 2000: 529,121 (Multnomah County population: 660,486)
 City population rank: 28th
 Office: Multnomah County Support Services
 Registry offered to: Same & opposite
 DP couples since inception: 259
 Terminations: 3
 Active DP couples: 256 (as of June 30, 2001)
 Breakdown by type: Unavailable
 Registry established: September 1, 2000
 Residency requirement: Non-residents may register (office doesn't check).
 Notes: Of 259 couples, 192 registered 9/00-12/00; 67 registered 1/01-6/01.

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Sociological Review, 66:159-183, pp. 168-171, 176-177 (2001). However, given the methodological critique of these studies, the more reasonable conclusion is that at this point, we do not have ANY credible social science evidence on the effects of same-sex partnerships on children or adults.

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For additional information about how your corporate policies can promote stable marriages, please contact Paul Weber at the Corporate Resource Council, (480) 444-0030.

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